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APPLICATION NO.	FILING DATE	FIRST NAME INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

BHAT, ADITYA S

ART UNIT PAPER NUMBER

2863

DATE MAILED: 05/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/601,838

Applicant(s)

FEHLIS ET AL.

Examiner

Aditya S Bhat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133.)
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 09 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 9, 10, 13 and 17 is/are rejected.
- 7) ☒ Claim(s) 5-8, 11, 12 and 14-16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 4.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 9-10, 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamir et al (USPN 6,438,508) in view of Tritchew et al. (USPN 5,897,223)

Tamir et al (USPN 6,438,508) teaches, a camera tracking system for a virtual television or video studio for determining the position and/or orientation of a recording camera, comprising: at least three emitter devices for emitting electromagnetic radiation the emitter devices being adapted to be mechanically coupled with the recording camera, (Col. 1, lines 62-64, Col. 2, lines 51-54), at least two detector devices for detecting the position of the emitter devices based upon the electromagnetic radiation emitted by the emitter devices, each detector device being adapted to detect plurality of emitter devices (Col. 1, lines 42-51), a computer unit for evaluating the electromagnetic radiation detected by the detector devices and emitted by the emitter devices and for determining the position and/or the orientation (Col. 5, lines 1-2) of the at least three emitter devices relative to the at least two detector devices (Col. 2, lines 51-54), and a gyroscope adapted to be coupled to the emitter devices and supplying measured values, the gyroscope being connected to the computer unit, the computer unit

processing the measured values from the gyroscope to correct the orientation of the emitter devices as determined on the basis of the detecting devices.

With respect to claim 2, Tamir et al (USPN 6,438,508) teaches emitter device for emitting electromagnetic radiation directed towards a detecting device or a reflector for reflecting electromagnetic waves (Col. 3, lines 48-50 & Col. 4, lines 5-6)

With respect to claim 3, Tamir et al (USPN 6,438,508) teaches a support member coupled to a camera (Col. 3, lines 25-28)

With respect to claim 4 and 10, Tamir et al (USPN 6,438,508) teaches emitter devices being arranged so that they radiate the electromagnetic radiation from a common side surface (Col. 3, lines 39-50)

With respect to claim 9, Tamir et al (USPN 6,438,508) emitting device emits electromagnetic radiation and has a planar surface from which it is reflected from (Col. 4, lines 5-6)

With respect to claim 13 Tamir et al (USPN 6,438,508) which teaches the emitter devices being located in the recesses of the support member (See figure 1).

With respect to claim 17, Tamir et al (USPN 6,438,508) teaches the emitter device being distributed irregularly (Col. 1, lines 45-51)

Tamir et al (USPN 6,438,508) does not appear to teach a gyroscope, however Tritchew et al. (USPN 5,897,223) teaches a stabilized platform system for a camera including a gyroscope. It would be obvious to one of ordinary skill in the art at the time of the invention to modify Tamir et al (USPN 6,438,508) to include the gyroscope

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taught by Tritchew et al. (USPN 5,897,223) in order to keep the camera stable (Col.1, lines 15-22).

Claim Objections

Claims 5-8, and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 12 is objected to because of the following informalities: Claim 12 recites "the calibration track system of claim 1", although claim 1 is a camera tracking system. Appropriate correction is required.

Claim 14 is objected to because of the following informalities: after claim 13 "." Is not necessary. Appropriate correction is required.

Claims 15-16 are objected to under 37 CFR 1.75(c) as being in improper form because they are dependent on multiple claims. See MPEP § 608.01(n). Accordingly, the claim has not been further treated on the merits.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Steinberg et al. (USPUB 2001/0048483) teaches a method and apparatus for determining the position of a TV camera for use in a virtual studio, Tamir et al. (USPN 6,201,579, USUB 2001/0001242 & GB 2 323 733) teach a virtual studio position sensing system, Sharir (GB 2 324 429) teaches a electronic zoom control in a virtual studio, Klotz (GB 2 312 125) teaches a virtual studio with zoom control, Steinburg (GB 2 305 050) teaches determining the position of a TV camera for use in a virtual

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studio employing chroma keying, Tamir (GB 2 329 292) teaches a camera position sensing system, Russell (WO 98/54593) teaches position determination and De La Cierva (USPN 3,910,693) teaches a gyroscopic image motion compensator for a motion picture camera.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aditya S Bhat whose telephone number is 703-308-0332. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 703-308-3126. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-5841 for regular communications and 703-308-5841 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Aditya S. Bhat
May 1, 2003


John Barlow
Supervisory Patent Examiner
Technology Center 2800